

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN ARMENDARIZ, JR.,

Defendant.

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CASE NO. 8:04CR328

ORDER

This matter is before the Court on the Defendant's motion for leave to proceed in forma pauperis (Filing No. 155).

On March 20, 2007, the Defendant's motion pursuant to 28 U.S.C. § 2255 was denied. (Filing Nos. 166, 167.) Therefore, the motion for leave to proceed in pauperis, filed on October 10, 2006, is denied as moot.

IT IS ORDERED:

1. The Defendant's motion for leave to proceed in forma pauperis (Filing No. 155) is denied as moot; and
2. The Clerk is directed to mail a copy of this Judgment to the Defendant at his last known address.

DATED this 27th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge